	Case 5:10-cv-02810-JF Document 2 Filed 11/02/10 Page 1 of 3		
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8	NOT FOR CITATION		
9	IN THE UNITED STATES DISTRICT COURT		
10	FOR THE NORTHERN DISTRICT OF CALIFORNIA		
11	ELICIO CEDMANTEC		
12	ELIGIO CERVANTES, No. C 10-02810 JF (PR) ORDER OF TRANSFER		
13	Petitioner, ORDER OF TRANSFER		
14	vs.		
15	STATE OF CALIFORNIA,		
16	Respondent.		
17			
18	Petitioner, a state prisoner currently incarcerated at the Coalinga State Hospital in		
19	Coalinga, California, proceeding pro se, filed a petition for a writ of habeas corpus		
20	pursuant to 28 U.S.C. § 2254, challenging his state conviction in Lassen County Superior		
21	Court. Petitioner has paid the filing fee.		
22	A state prisoner challenging the constitutionality of his state conviction may do so		
23	by filing a petition for a writ of habeas corpus under 28 U.S.C. § 2254. Venue for a		
24	habeas action is proper in either the district of confinement or the district of conviction,		
25	28 U.S.C. § 2241(d); however, petitions challenging a conviction are preferably heard in		
26	the district of conviction. See Habeas L.R. 2254-3(a); Laue v. Nelson, 279 F. Supp. 265,		
27	266 (N.D. Cal. 1968); cf. Dunne v. Henman, 875 F.2d 244, 249 (9th Cir. 1989) (district o		
28	confinement best forum to review execution of sentence). Accordingly, this case is		
	Order of Transfer P:\PRO-SE\SJ.JF\HC.10\Cervantes02810_transfer.wpd 1		

1	TRANSFERRED to the United States District Court for the Eastern District of California.		
2	See 28 U.S.C. §§ 84(b), 1391(b), 1404(a); Habeas L.R. 2254-3(b)(1).		
3	The Clerk shall transfer the entire file to the Eastern District of California.		
4	IT IS SO ORDERED.	Some of	
5	DATED: 10/25/10	HEDEMY FOREY	
6		JEREMY FOUEL United States District Judge	
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UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

ELIGIO CERVANTES,	Case Number: CV10-02810 JF	
Petitioner,	CERTIFICATE OF SERVICE	
v.		
STATE OF CALIFORNIA,		
Respondent.	/	
I, the undersigned, hereby certify that I am a Court, Northern District of California.	an employee in the Office of the Clerk, U.S. District	
attached, by placing said copy(ies) in a post	, I SERVED a true and correct copy(ies) of the age paid envelope addressed to the person(s) pe in the U.S. Mail, or by placing said copy(ies) into the Clerk's office.	
Eligio Cervantes C0-001189-0 Coalinga State Hospital P.O. Box 5003 unit-5 Coalinga, CA 93210		
Dated:		
	Richard W. Wieking, Clerk	